

# Union Calendar No. 168

110TH CONGRESS  
1ST SESSION

# H. R. 1315

[Report No. 110–266]

To amend title 38, United States Code, to provide specially adaptive housing assistance to certain disabled members of the Armed Forces residing temporarily in housing owned by a family member.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 5, 2007

Ms. HERSETH introduced the following bill; which was referred to the Committee on Veterans' Affairs

JULY 27, 2007

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

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## A BILL

To amend title 38, United States Code, to provide specially adaptive housing assistance to certain disabled members of the Armed Forces residing temporarily in housing owned by a family member.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PROVISION OF SPECIALLY ADAPTIVE HOUSING**  
 2 **ASSISTANCE TO DISABLED MEMBERS OF THE**  
 3 **ARMED FORCES RESIDING TEMPORARILY IN**  
 4 **HOUSING OWNED BY A FAMILY MEMBER.**

5 Section 2102A of title 38, United States Code, is  
 6 amended—

7 (1) by redesignating subsections (d) and (e) as  
 8 subsections (e) and (f), respectively; and

9 (2) by inserting after subsection (e) the fol-  
 10 lowing new subsection (d):

11 ~~“(e) ASSISTANCE FOR MEMBERS OF THE ARMED~~  
 12 ~~FORCES.—The Secretary may provide assistance under~~  
 13 ~~subsection (a) to a member of the Armed Forces serving~~  
 14 ~~on active duty who is suffering from a disability described~~  
 15 ~~in subsection (a)(2) or (b)(2) of section 2101 of this title~~  
 16 ~~if such disability is the result of an injury incurred or dis-~~  
 17 ~~ease contracted in or aggravated in the line of duty in~~  
 18 ~~the active military, naval, or air service. Such assistance~~  
 19 ~~shall be provided to the same extent as assistance is pro-~~  
 20 ~~vided under subsection (a) to veterans eligible for assist-~~  
 21 ~~ance under that subsection and subject to the limitation~~  
 22 ~~under subsection (e).”.~~

23 **SECTION 1. SHORT TITLE.**

24 *This Act may be cited as the “Veterans’ Benefits Im-*  
 25 *provement Act of 2007”.*

1 **SEC. 2. PROVISION OF SPECIALLY ADAPTIVE HOUSING AS-**  
 2 **SISTANCE TO DISABLED MEMBERS OF THE**  
 3 **ARMED FORCES RESIDING TEMPORARILY IN**  
 4 **HOUSING OWNED BY A FAMILY MEMBER.**

5 *Section 2102A of title 38, United States Code, is*  
 6 *amended—*

7 *(1) by redesignating subsections (d) and (e) as*  
 8 *subsections (e) and (f), respectively; and*

9 *(2) by inserting after subsection (c) the following*  
 10 *new subsection (d):*

11 *“(d) ASSISTANCE FOR MEMBERS OF THE ARMED*  
 12 *FORCES.—The Secretary may provide assistance under*  
 13 *subsection (a) to a member of the Armed Forces serving on*  
 14 *active duty who is suffering from a disability described in*  
 15 *subsection (a)(2) or (b)(2) of section 2101 of this title if*  
 16 *such disability is the result of an injury incurred or disease*  
 17 *contracted in or aggravated in line of duty in the active*  
 18 *military, naval, or air service. Such assistance shall be pro-*  
 19 *vided to the same extent as assistance is provided under*  
 20 *subsection (a) to veterans eligible for assistance under that*  
 21 *subsection and subject to the limitation under subsection*  
 22 *(c).”.*

1 **SEC. 3. EXTENSION OF PERIOD OF MORTGAGE FORE-**  
 2 **CLOSURE PROTECTION UNDER**  
 3 **SERVICEMEMBERS CIVIL RELIEF ACT.**

4 (a) *EXTENSION TO 6 MONTHS.*—Subsection (c) of sec-  
 5 tion 303 of the Servicemembers Civil Relief Act (50 U.S.C.  
 6 App. 533(c)) is amended by striking “90 days” and insert-  
 7 ing “180 days”.

8 (b) *EXTENSION OF PERIOD OF INTEREST RATE LIM-*  
 9 *TATION.*—Such section is further amended by adding at the  
 10 end the following new subsection:

11 “(e) *APPLICABILITY OF INTEREST RATE LIMITA-*  
 12 *TION.*—Section 207 shall apply with respect to an obliga-  
 13 tion described in subsection (a) during the 180-day period  
 14 beginning on the last day of the period of the  
 15 servicemember’s military service in the same manner that  
 16 section applies with respect to such an obligation during  
 17 the period of the servicemember’s military service.”.

18 (c) *EFFECTIVE DATE.*—The amendments made by sub-  
 19 sections (a) and (b) shall apply with respect to any person  
 20 performing a period of military service (as such term is  
 21 defined in section 101(2) of such Act (50 U.S.C. App.  
 22 511(2))) that begins on or after the date that is 90 days  
 23 after the date of the enactment of this Act.

1 **SEC. 4. VISUAL IMPAIRMENT AND ORIENTATION AND MO-**  
 2 **BILITY PROFESSIONALS EDUCATION ASSIST-**  
 3 **ANCE PROGRAM.**

4 (a) *ESTABLISHMENT OF PROGRAM.*—Chapter 76 of  
 5 title 38, United States Code, is amended by adding at the  
 6 end the following new subchapter:

7 “SUBCHAPTER VIII—VISUAL IMPAIRMENT AND  
 8 ORIENTATION AND MOBILITY PROFES-  
 9 SIONALS SCHOLARSHIP PROGRAM

10 “§ 7691. **Authority for program**

11 “As part of the Educational Assistance Program and  
 12 subject to the availability of appropriations for such pur-  
 13 pose, the Secretary shall carry out a scholarship program  
 14 under this subchapter. The program shall be known as the  
 15 Department of Veterans Affairs Visual Impairment and  
 16 Orientation and Mobility Professionals Scholarship Pro-  
 17 gram (hereinafter in this subchapter referred to as the ‘Pro-  
 18 gram’). The purpose of the Program is to increase the sup-  
 19 ply of qualified blind rehabilitation specialists for the De-  
 20 partment and the Nation.

21 “§ 7692. **Eligibility; agreement**

22 “(a) *ELIGIBILITY.*—To be eligible to participate in the  
 23 Program, an individual must be accepted for enrollment or  
 24 enrolled (as described in section 7602 of this title) as a full-  
 25 time or part-time student in a field of education or training  
 26 described in subsection (b).

1       “(b) *QUALIFYING FIELDS OF EDUCATION OR TRAIN-*  
 2 *ING.*—*A field of education or training described in this sub-*  
 3 *section is education or training leading to—*

4               “(1) *a degree or certificate in visual impairment*  
 5 *or orientation and mobility, or a dual degree or cer-*  
 6 *tification in both such areas; and*

7               “(2) *appointment or retention in a position*  
 8 *under section 7401 of this title.*

9       “(c) *AGREEMENT.*—(1) *An agreement between the Sec-*  
 10 *retary and a participant in the Program shall (in addition*  
 11 *to the requirements set forth in section 7604 of this title)*  
 12 *include the following:*

13               “(A) *The Secretary’s agreement to provide the*  
 14 *participant with a scholarship under the Program for*  
 15 *a specified number (from one to three) of school years*  
 16 *during which the participant pursues a course of edu-*  
 17 *cation or training described in subsection (b) that*  
 18 *meets the requirements set forth in section 7602(a) of*  
 19 *this title.*

20               “(B) *The participant’s agreement to serve as a*  
 21 *full-time employee in the Veterans Health Adminis-*  
 22 *tration for a period of three years (hereinafter in this*  
 23 *subchapter referred to as the ‘period of obligated serv-*  
 24 *ice’)* *during the six-year period beginning on the date*  
 25 *the participant completes the education or training*

1        *and receives a degree or certificate described in sub-*  
 2        *section (b)(1).*

3            *“(C) The participant’s agreement to serve under*  
 4        *subparagraph (B) in a Department facility selected*  
 5        *by the Secretary.*

6        *“(2) In a case in which an extension is granted under*  
 7        *section 7673(c)(2) of this title, the number of years for*  
 8        *which a scholarship may be provided under the Program*  
 9        *shall be the number of school years provided for as a result*  
 10       *of the extension.*

11       *“(3) In the case of a participant who is a part-time*  
 12       *student, the period of obligated service shall be reduced in*  
 13       *accordance with the proportion that the number of credit*  
 14       *hours carried by such participant in any such school year*  
 15       *bears to the number of credit hours required to be carried*  
 16       *by a full-time student in the course of training being pur-*  
 17       *sued by the participant, but in no event to less than one*  
 18       *year.*

19       **“§ 7693. Scholarship**

20       *“(a) SCHOLARSHIP.—A scholarship provided to a par-*  
 21       *ticipant in the Program for a school year shall consist of*  
 22       *payment of the tuition (or such portion of the tuition as*  
 23       *may be provided under subsection (b)) of the participant*  
 24       *for that school year and payment of other reasonable edu-*

1 *cational expenses (including fees, books, and laboratory ex-*  
 2 *penses) for that school year.*

3 “(b) *AMOUNTS.—The total amount of the scholarship*  
 4 *payable under subsection (a)—*

5 “(1) *in the case of a participant in the Program*  
 6 *who is a full-time student, may not exceed \$15,000 for*  
 7 *the equivalent of one year of full-time coursework; and*

8 “(2) *in the case of a participant in the Program*  
 9 *who is a part-time student, shall bear the same ratio*  
 10 *to the amount that would be paid under paragraph*  
 11 *(1) if the participant were a full-time student in the*  
 12 *course of education or training being pursued by the*  
 13 *participant as the coursework carried by the partici-*  
 14 *part to full-time coursework in that course of edu-*  
 15 *cation or training.*

16 “(c) *LIMITATIONS ON PERIOD OF PAYMENT.—(1) The*  
 17 *maximum number of school years for which a scholarship*  
 18 *may be paid under subsection (a) to a participant in the*  
 19 *Program shall be six school years.*

20 “(2) *A participant in the Program may not receive*  
 21 *a scholarship under subsection (a) for more than the equiva-*  
 22 *lent of three years of full-time coursework.*

23 “(d) *PAYMENT OF EDUCATIONAL EXPENSES BY EDU-*  
 24 *CATIONAL INSTITUTIONS.—The Secretary may arrange*  
 25 *with an educational institution in which a participant in*

1 *the Program is enrolled for the payment of the educational*  
 2 *expenses described in subsection (a). Such payments may*  
 3 *be made without regard to subsections (a) and (b) of section*  
 4 *3324 of title 31.*

5 “(e) *FULL-TIME COURSEWORK.*—*For purposes of this*  
 6 *section, full-time coursework shall consist of the following:*

7 “(1) *In the case of undergraduate coursework, 30*  
 8 *semester hours per undergraduate school year.*

9 “(2) *In the case of graduate coursework, 18 se-*  
 10 *mester hours per graduate school year.*

11 **“§ 7694. *Obligated service***

12 “(a) *IN GENERAL.*—*Each participant in the Program*  
 13 *shall provide service as a full-time employee of the Depart-*  
 14 *ment for the period of obligated service provided in the*  
 15 *agreement of the participant entered into under section*  
 16 *7604 of this title. Such service shall be provided in the full-*  
 17 *time clinical practice of such participant’s profession or in*  
 18 *another health-care position in an assignment or location*  
 19 *determined by the Secretary.*

20 “(b) *DETERMINATION OF SERVICE COMMENCEMENT*  
 21 *DATE.*—(1) *Not later than 60 days before a participant’s*  
 22 *service commencement date, the Secretary shall notify the*  
 23 *participant of that service commencement date. That date*  
 24 *is the date for the beginning of the participant’s period of*  
 25 *obligated service.*

1       “(2) *As soon as possible after a participant’s service*  
2 *commencement date, the Secretary shall—*

3               “(A) *in the case of a participant who is not a*  
4 *full-time employee in the Veterans Health Adminis-*  
5 *tration, appoint the participant as such an employee;*  
6 *and*

7               “(B) *in the case of a participant who is an em-*  
8 *ployee in the Veterans Health Administration but is*  
9 *not serving in a position for which the participant’s*  
10 *course of education or training prepared the partici-*  
11 *phant, assign the participant to such a position.*

12       “(3)(A) *In the case of a participant receiving a degree*  
13 *from a school of medicine, osteopathy, dentistry, optometry,*  
14 *or podiatry, the participant’s service commencement date*  
15 *is the date upon which the participant becomes licensed to*  
16 *practice medicine, osteopathy, dentistry, optometry, or po-*  
17 *diatry, as the case may be, in a State.*

18       “(B) *In the case of a participant receiving a degree*  
19 *from a school of nursing, the participant’s service com-*  
20 *mencement date is the later of—*

21               “(i) *the participant’s course completion date; or*

22               “(ii) *the date upon which the participant be-*  
23 *comes licensed as a registered nurse in a State.*

1       “(C) *In the case of a participant not covered by sub-*  
 2 *paragraph (A) or (B), the participant’s service commence-*  
 3 *ment date is the later of—*

4               “(i) *the participant’s course completion date; or*  
 5               “(ii) *the date the participant meets any applica-*  
 6 *ble licensure or certification requirements.*

7       “(4) *The Secretary shall by regulation prescribe the*  
 8 *service commencement date for participants who were part-*  
 9 *time students. Such regulations shall prescribe terms as*  
 10 *similar as practicable to the terms set forth in paragraph*  
 11 *(3).*

12       “(c) *COMMENCEMENT OF OBLIGATED SERVICE.—(1)*  
 13 *Except as provided in paragraph (2), a participant in the*  
 14 *Program shall be considered to have begun serving the par-*  
 15 *ticipant’s period of obligated service—*

16               “(A) *on the date, after the participant’s course*  
 17 *completion date, on which the participant (in accord-*  
 18 *ance with subsection (b)) is appointed as a full-time*  
 19 *employee in the Veterans Health Administration; or*

20               “(B) *if the participant is a full-time employee in*  
 21 *the Veterans Health Administration on such course*  
 22 *completion date, on the date thereafter on which the*  
 23 *participant is assigned to a position for which the*  
 24 *participant’s course of training prepared the partici-*  
 25 *pant.*

1       “(2) *A participant in the Program who on the partici-*  
 2 *part’s course completion date is a full-time employee in the*  
 3 *Veterans Health Administration serving in a capacity for*  
 4 *which the participant’s course of training prepared the par-*  
 5 *ticipant shall be considered to have begun serving the par-*  
 6 *ticipant’s period of obligated service on such course comple-*  
 7 *tion date.*

8       “(d) *COURSE COMPLETION DATE DEFINED.—In this*  
 9 *section, the term ‘course completion date’ means the date*  
 10 *on which a participant in the Program completes the par-*  
 11 *ticipant’s course of education or training under the Pro-*  
 12 *gram.*

13       **“§ 7695. *Repayment for failure to satisfy requirements***  
 14                       ***of agreement***

15       “(a) *IN GENERAL.—An individual who receives edu-*  
 16 *cational assistance under this subchapter shall repay to the*  
 17 *Secretary an amount equal to the unearned portion of such*  
 18 *assistance if the individual fails to satisfy the requirements*  
 19 *of the agreement entered into under section 7604 of this*  
 20 *title, except in circumstances authorized by the Secretary.*

21       “(b) *AMOUNT OF REPAYMENT.—The Secretary shall*  
 22 *establish, by regulations, procedures for determining the*  
 23 *amount of the repayment required under this subsection*  
 24 *and the circumstances under which an exception to the re-*  
 25 *quired repayment may be granted.*

1       “(c) *WAIVER OR SUSPENSION OF COMPLIANCE.*—The  
 2       Secretary shall prescribe regulations providing for the  
 3       waiver or suspension of any obligation of an individual for  
 4       service or payment under this subchapter (or an agreement  
 5       under this subchapter) whenever noncompliance by the in-  
 6       dividual is due to circumstances beyond the control of the  
 7       individual or whenever the Secretary determines that the  
 8       waiver or suspension of compliance is in the best interest  
 9       of the United States.

10       “(d) *OBLIGATION AS DEBT TO UNITED STATES.*—An  
 11       obligation to repay the Secretary under this section is, for  
 12       all purposes, a debt owed the United States. A discharge  
 13       in bankruptcy under title 11 does not discharge a person  
 14       from such debt if the discharge order is entered less than  
 15       five years after the date of the termination of the agreement  
 16       or contract on which the debt is based.”.

17       (b) *CLERICAL AMENDMENT.*—The tables of sections at  
 18       the beginning of such chapter is amended by inserting after  
 19       the items relating to subchapter VII the following new  
 20       items:

“SUBCHAPTER VIII—VISUAL IMPAIRMENT AND ORIENTATION AND MOBILITY  
 PROFESSIONALS SCHOLARSHIP PROGRAM

“7691. Authority for program.

“7692. Eligibility; agreement.

“7693. Scholarship.

“7694. Obligated service.

“7695. Repayment for failure to satisfy requirements of agreement.”.

21       (c) *CONFORMING AMENDMENTS.*—Such chapter is fur-  
 22       ther amended—

1           (1) in section 7601(a)—

2                   (A) in paragraph (4), by striking “and” at  
3           the end;

4                   (B) in paragraph (5), by striking the period  
5           and inserting “; and”; and

6                   (C) by adding at the end the following new  
7           paragraph:

8           “(6) the Visual Impairment and Orientation  
9           and Mobility Professionals Scholarship Program pro-  
10          vided for in subchapter VIII of this chapter.”;

11          (2) in section 7602—

12                   (A) in subsection (a)(1)—

13                           (i) by striking “or VI” and inserting  
14                           “VI, or VIII”; and

15                           (ii) by striking “or for which a schol-  
16                           arship may be awarded under subchapter  
17                           VI of this chapter” and inserting “for which  
18                           a scholarship may be awarded under sub-  
19                           chapter VI of this chapter, or for which a  
20                           scholarship may be awarded under sub-  
21                           chapter VIII of this chapter”; and

22                   (B) in subsection (b), by striking “or VI”  
23           and inserting “VI, or VIII”;

24          (3) in section 7603(a)(1), by striking “or VI”  
25          and inserting “VI, or VIII”; and

1           (4) in section 7604, by striking “or VI” each  
2           place it appears and inserting “VI, or VIII”.

3           (d) *EFFECTIVE DATE.*—*The Secretary of Veterans Af-*  
4           *fairs shall implement subchapter VIII of chapter 76 of title*  
5           *38, United States Code, as added by section 1, not later*  
6           *than six months after the date of the enactment of this Act.*

7           **SEC. 5. VETERANS’ REEMPLOYMENT RIGHTS REPORT IM-**  
8           **PROVEMENT.**

9           (a) *ADDITIONAL REPORT REQUIREMENTS.*—*Section*  
10          *4332 of title 38, United States Code, is amended—*

11           (1) by striking “The Secretary shall” and insert-  
12          ing “(a) *REPORT REQUIRED.*—*The Secretary shall*”;

13           (2) by redesignating paragraphs (4) through (6)  
14          as paragraphs (5) through (7), respectively, and in-  
15          serting after paragraph (3) the following new para-  
16          graph (4):

17           “(4) *The number of cases reviewed by the Sec-*  
18          *retary of Defense under the National Committee for*  
19          *Employer Support of the Guard and Reserve of the*  
20          *Department of Defense during the fiscal year for*  
21          *which the report is made.*”;

22           (3) in paragraph (5), as so redesignated, by  
23          striking “or (3)” and inserting “(3), or (4)”;

1           (4) by redesignating paragraph (7), as so rededesignated, as paragraph (8), and inserting after paragraph (6) the following new paragraph (7):

2           “(7) An indication of which of the cases reported on pursuant to paragraphs (1), (2), (3), and (4) are disability-related.”; and

3           (5) by adding at the end the following new subsections:

4           “(b) *UNIFORM CATEGORIZATION OF DATA.*—The Secretary shall coordinate with the Secretary of Defense, the Secretary of Veterans Affairs, the Attorney General, and the Special Counsel to ensure that the information required to be submitted as part of the report under subsection (a) is categorized in a uniform way.

5           “(c) *PROVISION OF INFORMATION.*—The Secretary shall provide the information contained in the report required under subsection (a) to the Secretary of Defense, the Secretary of Veterans Affairs, the Attorney General, and the Special Counsel.”.

6           “(b) *EFFECTIVE DATE.*—The amendments made by this section shall apply with respect to a report submitted after the date of the enactment of this Act.

1 **SEC. 6. INCREASE IN NUMBER OF MEMBERS OF ADVISORY**  
2 **COMMITTEE ON VETERANS EMPLOYMENT,**  
3 **TRAINING, AND EMPLOYER OUTREACH.**

4 *Section 4110(c)(1) of title 38, United States Code, is*  
5 *amended by striking “15” and inserting “16”.*

Amend the title so as to read: “A bill to amend title 38, United States Code, to make certain improvements in the benefits provided to veterans under laws administered by the Secretary of Veterans Affairs, and for other purposes.”.

Union Calendar No. 168

110TH CONGRESS  
1ST Session

H. R. 1315

[Report No. 110-266]

A BILL

To amend title 38, United States Code, to provide specially adaptive housing assistance to certain disabled members of the Armed Forces residing temporarily in housing owned by a family member.

JULY 27, 2007

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed